IN THE HIGH COURT OF JUDICATURE
AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 875 OF 2006
WITH
FIRST APPEAL NO.876 OF 2006
WITH
FIRST APPEAL NO.877 OF 2006
WITH
FIRST APPEAL NO.878 OF 2006
WITH
FIRST APPEAL NO.879 OF 2006
WITH
FIRST APPEAL NO.880 OF 2006
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FIRST APPEAL NO.881 OF 2006
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FIRST APPEAL NO.882 OF 2006
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WITH
FIRST APPEAL NO.889 OF 2006
WITH
FIRST APPEAL NO.890 OF 2006
WITH
FIRST APPEAL NO.891 OF 2006

WITH
FIRST APPEAL NO.892 OF 2006

Office Notes, Office Memorandum of Coram Appearances, Court's Orders or Directions and Registrar's Orders	Court's or Judges Orders

Mr. Ralston Fernandes for Appellant
Ms. Yogi S. Joshi & Mr. V.J. Brahmbhatt for Respondents 1 and 2

CORAM: SMT.ROSHAN DALVI,J.
DATED: 20TH JUNE, 2007

P.C.

1. Heard parties and by consent Appeals taken up.
2. The Consent terms between the Respondents Nos.1 to 4 and the Appellant herein is duly tendered and taken on record and marked "X" for identification.
3. In view of the Consent terms arrived at between the parties the Judgment dated 15th December, 2005 and Decree dated 9th January, 2006 under Appeal is set aside.
4. The agreement, declaration and undertakings of the Respondents 1 to 4 as more particularly recorded in consent terms and MOU dated 12th June, 2007, is hereby recorded and accepted.
5. The Respondent Nos.1,2,3 and 4 admit confirm and

acknowledge that neither themselves nor the estate of Late Shri Vithaldas Khimji and of Late Diwaliben Vithaldas has any claim to the suit property.

6. There shall be refund of half of the Court Fees if any paid in this Appeal.

7. Liberty to apply in case of difficulty.

8. Each party to bear and pay their own costs.

(SMT. ROSHAN DALVI, J.)